

Introduced by Senator DenhamJanuary 7, 2009

An act to add Section 620 to the Public Resources Code, relating to state government.

LEGISLATIVE COUNSEL'S DIGEST

SB 44, as introduced, Denham. State government: integrated waste management board: abolishment.

The California Integrated Waste Management Act of 1989, administered by the California Integrated Waste Management Board, is required to reduce, recycle, and reuse solid waste generated in the state to the maximum extent feasible in an efficient cost-effective manner to conserve water, energy, and other natural resources.

This bill would abolish the California Integrated Waste Management Board and transfer its duties, responsibilities, powers, jurisdiction, liabilities, and functions to the Department of Conservation.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 620 is added to the Public Resources
- 2 Code, to read:
- 3 620. (a) The department succeeds to and is vested with all
- 4 duties, responsibilities, powers, jurisdiction, liabilities, and
- 5 functions of the California Integrated Waste Management Board,
- 6 which is hereby abolished. Any reference in any law to the duties,
- 7 responsibilities, powers, and functions of the California Integrated
- 8 Waste Management Board, shall be considered a reference to the

1 Department of Conservation unless the context otherwise requires.
2 The department shall have possession and control of all records,
3 books, papers, and other property, real, personal, and mixed, now
4 or hereafter held for the benefit or use of the California Integrated
5 Waste Management Board.

6 (b) (1) All employees of the California Integrated Waste
7 Management Board who, on January 1, 2010, are serving in the
8 state civil service, other than as temporary employees, shall be
9 transferred to the Department of Conservation pursuant to Section
10 19050.9 of the Government Code. The status, position, and rights
11 of any employee of the board shall not be affected by the transfer
12 and shall be retained by the person as an employee of the
13 department, as the case may be, pursuant to the State Civil Service
14 Act (Part 2 (commencing with Section 18500) of Division 5 of
15 Title 2 of the Government Code), except as to a position that is
16 exempt from civil service.

17 (2) The members of the California Integrated Waste
18 Management Board are excluded from the rights and protections
19 of this subdivision.

20 (c) All money available, including money that becomes available
21 after January 1, 2010, for expenditure by the California Integrated
22 Waste Management Board to be used in the administration of any
23 function, the exercise of any right, or performance of any duty,
24 which function, right, or duty is transferred by this section, shall
25 be transferred to the Department of Conservation, which is to
26 administer the function, exercise the right, or perform the duty.